

Patent
Attorney Docket No. 4391 CIP II

DECLARATION

I, Brain E. Dalton, declare that I am a citizen of the United States of America, residing at 333 State Street, Erie, PA 16507; and that my post office address is the same as my residence address; and that I have reviewed the foregoing specification and claims, understand the contents thereof, and I verily believe that I am the original, first and sole inventor of the invention in BONE FIXATION ASSEMBLY AND METHOD OF SECUREMENT, and in the subject matter which is described and claimed therein and for which a patent is sought; and that I acknowledge my duty to disclose information of which I am aware which is material to the patentability of this application in as defined in 37 CFR § 1.56. I hereby claim the benefit under Title 35, United States Code, § 120, of U.S. Patent Application No. 10/731,625, filed December 9, 2003, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

And I hereby appoint Floyd B. Carothers, Registration No. 24,252, and Paul A. Beck, Registration No. 22,289, operating under the firm name of CAROTHERS AND CAROTHERS, Registration No. 22,238, or their duly appointed associate, its attorneys with full power of substitution, revocation and addition, to prosecute this application and transact all

business in the Patent and Trademark Office in connection therewith. It is requested that all correspondence be directed to CAROTHERS AND CAROTHERS, 445 Fort Pitt Blvd., Suite 500, Pittsburgh, PA 15219.

Wherefore, I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney and this petition.

The undersigned petitioner declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that those statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the of the application or any patent issuing thereon.

Date: 3/27/04

By: 

Brian E. Dalton

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